

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22399 of 2013

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Kumari Arti Wife Of Sri Sudhir Kumar, Daughter Of Sri Shreasth Singh
R/O Village And P.O.- Jagdishpur, Baghnagari, Via- Silaut, P.S.- Sakra,
District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary, Hrd Deptt. Govt. Of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. Of Bihar, Patna
3. The Director, Primary Education, Govt. Of Bihar, Patna
4. The District Magistrate-Cum-Collector, Muzaffarpur
5. The District Education Officer, Muzaffarpur
6. The District Program Officer (Establishment), Muzaffarpur
7. The Block Development Officer, Sakra, District- Muzaffarpur
8. The Block Education Officer, Sakra, District- Muzaffarpur
9. The Mukhiya Gram Panchayat Raj, Jagdishpur Baghnagari P.S. And Anchal- Sakra, District- Muzaffarpur
10. The Panchayat Sachiv (Secretary), Gram Panchayat Raj, Jagdishpur Baghnagari, P.S. And Anchal- Sakra, District- Muzaffarpur
11. The Head Master, Govt. Middle School, Saraiya, P.S. And Anchal- Sakra, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Respondent/s : Mr. Rana Bhupendra Nr. Singh, AC to GP 9

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

2 24-12-2014

Annexure- 8 is the order passed in Case No.137 of 2010 by the District Teachers Employment Appellate Authority, Muzaffarpur. The date of the order is 23.12.2011. Submission of the counsel is that on an identical matter the Member has taken two divergent views. Claim of this petitioner has been rejected on the ground that he has degree of Visharad from Hindi Sahitya Sammelan, Allahabad. The Visharad degree is supposed to be

equivalent to B.Ed. Merely because the Tribunal has used two different yardsticks does not make the case of the petitioner any better nor does the alternative argument that there are other persons, who are working on the post of Panchayat Teacher/Block Teacher with the degree of Visharad.

The status of the degree so issued by Hindi Sahitya Sammelan is no longer an issue of debate or adjudication. The matter has been settled right up till the Hon'ble Supreme Court that this institution is neither a University or a College having any valid recognition nor does it impart any teaching as such. It is a shop, which sells a degree to anybody, who is willing to buy and pay a price which they demand.

The Director, Primary Education is directed to enquire that in what circumstances the Member of the District Teachers Employment Appellate Authority is passing such inconsistent order and whether he deserves to be continued in his capacity.

The Director is further directed to identify and weed out persons, who are continuing with the degree of Visharad and have been appointed on the basis of such a degree, by issuing appropriate direction.

So far as claim of the petitioner is concerned, the

reasons assigned in Annexure-8 not being illogical or illegal is not required to be interfered with. Writ application is dismissed.

A copy of this order will be communicated to the Director, Primary Education by the office immediately.

(Ajay Kumar Tripathi, J)

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